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July 13, 2023

BY E-FILE

The Honorable Gregory B. Williams
United States District Court
for the District of Delaware
844 N. King Street
Wilmington, DE 19801

Re: *Getty Images (US), Inc. v. Stability AI, Ltd., et al.*, C.A. No. 23-135 (GBW)

Dear Judge Williams:

The parties in the above-referenced matter write to request the scheduling of a teleconference to address a discovery dispute.

The following attorneys, including at least one Delaware Counsel and at least one Lead Counsel per party, participated a verbal meet and confer by teleconference on the issues raised in this letter on July 12, 2023:

- Delaware Counsel for Plaintiffs: Tammy Mercer and Robert Vrana of Young Conaway Stargatt & Taylor, LLP
- Lead Counsel for Plaintiffs: Jared Friedmann, and Melissa Rutman of Weil, Gotshal & Manges LLP
- Delaware Counsel for Defendants: Michael Flynn of Morris, Nichols, Arsh & Tunnell LLP
- Lead Counsel for Defendants: Paul Schoenhard of Fried, Frank, Harris, Shriver & Jacobson LLP

In addition, attorneys for each party previously participated in multiple verbal meet and confers by tele- and/or videoconference on the issues raised in this letter on May 24, June 26, and June 27, 2023.

The Honorable Gregory B. Williams
July 13, 2023
Page 2

As previously reported (D.I. 21), Defendants contend that (i) this Court lacks personal jurisdiction over Stability AI Ltd.; (ii) Plaintiff has failed to make a *prima facie* showing that this Court can exercise personal jurisdiction over Defendant Stability AI Ltd.; and (iii) Defendants should not be obligated to respond to jurisdictional discovery. Plaintiff, on the other hand, contends that jurisdictional discovery is necessary and that the law in this Circuit and District freely permit jurisdictional discovery in similar circumstances. Notwithstanding this disagreement, the parties engaged in extensive discussion of jurisdictional discovery and provided the Court with a stipulation providing a schedule within which agreed-upon discovery would be conducted without waiver of Defendant Stability AI Ltd.'s on-going right to contest personal jurisdiction.

On June 9, 2023, the Court entered the Stipulation and Order Regarding Jurisdictional Discovery and Motion to Dismiss Briefing (D.I. 21). Since that time, the parties have further conferred, Defendants have voluntarily provided certain documents and information in response to requests made by Plaintiff, and Defendants have maintained objections to other requests.

The dispute requiring judicial intervention concerns whether and to what extent Defendant Stability AI, Inc. and/or Defendant Stability AI Ltd. must further respond to jurisdictional discovery relating to Defendants' motion to dismiss or transfer, including for lack of personal jurisdiction over Stability AI Ltd.

Respectfully submitted,

/s/ *Robert M. Vrana*

Robert M. Vrana (No. 5666)

cc: All Counsel of Record (via CM/ECF and email)